## UNITED STATES COURT OF APPEALS

## FOR THE SIXTH CIRCUIT

Deborah S. Hunt Clerk 100 EAST FIFTH STREET, ROOM 540 POTTER STEWART U.S. COURTHOUSE CINCINNATI, OHIO 45202-3988 Filed: April 18, 2018

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Ms. Nancy V. Dembinski Landry, Mazzeo & Dembinski 37000 Grand River Avenue Suite 200 Farmington Hills, MI 48335

Ms. Tonie Marie Franzese Law Office P.O. Box 713 Northville, MI 48167

Mr. Scott S. Holmes Foley & Mansfield 130 E. Nine Mile Road Ferndale, MI 48220

Re: Case No. 17-1564, David Raub, et al v. Moon Lake Property Owners' Association, et al
Originating Case No.: 1:15-cv-13480

## Dear Counsel:

The Court issued the enclosed Order today in this case.

Sincerely yours,

s/Karen S. Fultz Case Manager Direct Dial No. 513-564-7036

cc: Mr. David B. Landry Mr. Gary A. Rossi Mr. David J. Weaver

Enclosure

No. 17-1564

UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

DAVID RAUB, et al.,	)	FILED Apr 18, 2018 DEBORAH S. HUNT, Clerk
Plaintiffs-Appellants,	)	
	)	
v.	)	<u>O R D E R</u>
	)	
MOON LAKE PROPERTY OWNERS'	)	
ASSOCIATION, et al.,	)	
	)	
Defendants-Appellees.	)	

Before: KEITH, COOK, and THAPAR, Circuit Judges.

PER CURIAM. On November 15, 2017, this court granted Oscoda County and Tim Whiting's motion for damages and costs. We directed Oscoda County and Tim Whiting to file an affidavit within fifteen days setting forth the hourly rates of their counsel and the number of hours spent defending this appeal. The Raubs had ten days to file a response.

On November 29, 2017, Oscoda County and Tim Whiting's attorney filed an affidavit stating that his office spent 53.9 hours on this appeal at an hourly rate of \$165.00. The Raubs did not respond. Thus, the court orders the plaintiffs and their counsel, Tonie M. Franzese, to pay \$8,893.50 in damages and costs. Plaintiffs and Franzese shall be jointly and severally liable for the total award. The payment is due 30 days from the date of this order.

ENTERED BY ORDER OF THE COURT

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Deborah S. Hunt, Clerk